



February 10, 1999

SENATE BILL No. 456

DIGEST OF SB0456 (Updated February 8, 1999 2:39 pm - DI 78)

Citations Affected: IC 13-16.

Synopsis: IDEM permit fees. Requires the commissioner of the department of environmental management to proportionally reduce the fees billed to sources with NPDES permits, solid waste permits, and hazardous waste permits, if the funds in the environmental management permit operation fund less obligated expenditures exceed certain amounts.

Effective: July 1, 1999.

Gard, Simpson

January 13, 1999, read first time and referred to Committee on Environmental Affairs.
February 9, 1999, reported favorably — Do Pass.

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February 10, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 456

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-16-1-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. Notwithstanding
3 sections 1 through 5 of this chapter or any other law, a board or the
4 department may not do any of the following:

5 (1) **Except as provided in section 7 of this chapter**, change a fee
6 established by:

7 (A) IC 13-18-20;

8 (B) IC 13-20-21; or

9 (C) IC 13-22-12.

10 (2) Establish an additional fee that was not in effect on January 1,
11 1994, concerning the following:

12 (A) National Pollutant Discharge Elimination System
13 programs.

14 (B) Solid waste programs.

15 (C) Hazardous waste programs.

16 (3) Require payment of a fee for material used as alternate daily
17 cover pursuant to a permit issued by the department under 329

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IAC 10-20-13.

SECTION 2. IC 13-16-1-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. Before billing a permitted source under IC 13-18-20, IC 13-20-21, or IC 13-22-12, the commissioner shall review the money in the environmental management permit operation fund established under IC 13-15-11 and make the following adjustments:

(1) If the balance of the fund collected under IC 13-18-20, once obligated expenditures are subtracted from the balance, exceeds two million five hundred thousand dollars (\$2,500,000) as of July 1 of the billing year, the commissioner shall adjust the annual fee schedule to bill an amount, in the aggregate, equivalent to the fee schedule amount, less the excess over two million five hundred thousand dollars (\$2,500,000). Adjustments to the individual bills must be proportional to the applicable fee divided by the total amount required by all the applicable fees.

(2) If the balance of the fund collected under IC 13-20-21, once obligated expenditures are subtracted from the balance, exceeds one million eight hundred thousand dollars (\$1,800,000) as of July 1 of the billing year, the commissioner shall adjust the annual fee schedule to bill an amount, in the aggregate, equivalent to the fee schedule amount, less the excess over one million eight hundred thousand dollars (\$1,800,000). Adjustments to the individual bills must be proportional to the applicable fee divided by the total amount required by all the applicable fees.

(3) If the balance of the fund collected under IC 13-22-12, once obligated expenditures are subtracted from the balance, exceeds one million eight hundred thousand dollars (\$1,800,000) as of July 1 of the billing year, the commissioner shall adjust the annual fee schedule to bill an amount, in the aggregate, equivalent to the fee schedule amount, less the excess over one million eight hundred thousand dollars (\$1,800,000). Adjustments to the individual bills must be proportional to the applicable fee divided by the total amount required by all the applicable fees.



COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 456, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 456 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 9, Nays 0.

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